

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Teamsters Local No. 120, Affiliated with  
the International Brotherhood of Teamsters;  
Richard J. Bacon, II and his spouse, Sandra  
Bacon, and their dependent child; Nicole L.  
Bauler, and her spouse, Jeffrey Bauler;  
Christopher J. Riley, and his spouse, Diane  
Riley, and their three dependent children;  
Joseph A. Riley, and Julie Riley, his spouse;  
and Kenneth J. Schwebach, and his spouse,  
Pamela Schwebach; and all similarly  
situated Marathon Petroleum Company  
LLC employees,

Civ. No. 06-3431 (PAM/JSM)

Plaintiffs,

v.

**ORDER**

Marathon Petroleum Company LLC;  
Marathon Ashland Petroleum LLC Health  
Plan; R.P. Nichols (and his successors, if any),  
as the Plan Administrator and Plan Fiduciary;  
and G.L. Peiffer, R.R. Young, and R.K. Lohoff  
(and their successors, if any) as Plan Fiduciaries,

Defendants.

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This matter is before the Court on Plaintiffs' Motion for a Temporary Restraining Order. The Court grants the Motion. Considering the time constraints involved in this case, and as explained at the hearing, the Court will issue a summary Order today, and the Memorandum will follow. Accordingly, it is **HEREBY ORDERED** that:

1. Plaintiffs' Motion for a Temporary Restraining Order (Docket No. 2) is  
**GRANTED;**

2. Defendants are restrained from threatening to discontinue and from discontinuing the coverage under the Marathon Ashland Petroleum LLC Health Plan, as such coverage was in effect prior to July 24, 2006, for all Marathon Petroleum Company LLC employees who are members of the Teamsters Local No. 120 bargaining unit at Marathon and their dependents;
3. Defendants are further restrained from failing or refusing to follow ERISA's and COBRA's requirements to extend individual and family continuation coverage to these employees and their dependents; and
4. This Order will remain in effect until the Court hears and decides Plaintiffs' motion for a preliminary injunction on September 18, 2006.

Dated: August 23, 2006

s/ Paul A. Magnuson  
Paul A. Magnuson  
United States District Court Judge